IN THE HIGH COURT OF UTTARANCHAL AT NAINTIAL
Original Jurisdiction

Dated: Nainital the January 05, 2005
Criminal Misc. Bail Application No. 03/2005
Order on the bail application of the accused.

CRIMINAL SIDE

1. Rashid Ahmad S/o Shri Islam Ali @ Islamuddin
2. Shahid Ahmad S/o Shri Islam Ali @ Islamuddin
   All R/o Vishna Mohalla
   Uttarkahsi P.S. Kotwali
   Distt. Uttarakashi.

……. Applicants.

Versus

State of Uttaranchal …….opposite Party.

Arising out of Case Crime No. 481/2004
U/Ss 363, 366 (A), 376, 120 (B) I.P.C.
P.S. Kotwali,
District Uttarkashi

By the Court

Hon'ble J.C.S. Rawat, J.

Heard Sri Dharam Veer learned senior counsel for the applicants and learned G.A.

Perusal of the rejection order dated 07.12.2004 passed by the learned trial court reveals that the prosecutrix has state in his evidence that she had physical relationship with Shahid Ahmad with her own consent. The prosecutrix is more than 16 years of age. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on his executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C.S. Rawat, J.)

Dated: 05/01/2005
LSR